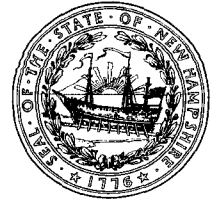




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
WET 06-055**

June 13, 2006

Alan Young
2393 Augur Hole Rd
S Newfane, VT 05351

RE: DES Wetlands File #2006-01213; 816 Manning Hill Rd, Winchester

Dear Mr. Young:

On May 31, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Winchester Tax Map 1 as Lot 80 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-800.

During the inspection the following deficiencies were documented:

1. A debris pile and fill has been placed in the wetland.

In response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES for review and approval. Include provisions for removing the debris from the wetland on the Property. Submit the following with the restoration plan:
 - a. A plan with dimensions, drawn to scale, showing:
 1. Existing conditions, with wetland boundaries; and
 2. Proposed conditions after reestablishing the jurisdictional areas;
 - b. A detailed description of the proposed means of erosion control (silt fence, hay bales, etc) and stabilization of the restoration area;
 - c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area.
 - d. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date.
 - e. Submit a minimum monitoring progress report including photographs documenting the completion of the restoration activities.

2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Dawn Buker, Compliance Inspector
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Dawn Buker at (603) 271-4066.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Collis G. Adams'.

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7006 0100 0005 8153 5245

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Winchester Conservation Commission
Winchester Board of Selectmen
USACOE